

# New Hampshire Department of Education Bureau of Special Education Catastrophic Aid Procedures Manual "Applying for CAT AID"



March 1, 2012

## Table of Contents

Introduction	2		
Entering Information into Financial Summary in NHSEIS	6		
Entering Invoices	13		
Program Placement	20		
Attendance	21		
Disallowed Cost	24		
Allowable Cost	29		
Inactive Students	31		
Timelines for CAT AID	33		
Appendices			
RSA 186-C: 18, III	35		
New Hampshire Rules for the Education of Children with Disabilities-Ed 1128	36		
Bureau of Special Education FY '10 Memo #27	46		
Superintendent Verification of CAT AID Form			

#### **INTRODUCTION**

The New Hampshire Department of Education, Bureau of Special Education, is offering guidance to districts seeking Catastrophic Aid (CAT AID) reimbursement. The term "Catastrophic Aid" refers to the financial assistance for special education costs distributed under RSA 186-C: 18, III to a responsible school district. This manual offers assistance to school districts and business offices with the CAT AID process. This manual is intended to provide guidance and does not replace law nor does it replace the New Hampshire Department of Education's (NHDOE) fiscal review of districts' application for CAT AID. The NHDOE financial accountability review serves as the conduit to decisions relating to CAT AID reimbursement.

The New Hampshire Department of Education (NHDOE), Bureau of Special Education is pleased to distribute the Catastrophic Aid Manual. The Catastrophic Aid Manual was developed using NHDOE issued memorandum, presentations to the field, and input and comments from the LEAs.

The NHDOE would like to thank all the organizations, groups and individuals for providing input.

The NHDIE sought input from the New Hampshire Association of Special Education Administrators (NHASEA), the New Hampshire Association of School Administrators (NHASA), the South Central Special Education Directors and the North Country Special Education Directors. In addition to these individuals, the NHDOE also sought input from individuals who attended the CAT AID trainings.

#### **Eligibility for Reimbursement of CAT AID**

School districts may be eligible for reimbursement of CAT AID based on the following:

- The cost to the district for implementing the student's Individualized Education Program (IEP) during the preceding school year (July 1-June 30) must exceed 3-1/2 times the estimated state average expenditure per pupil.
  - For students who have been placed in more than one (1) program during this period, costs are accumulative.

- For students who receive extended school year services during this period, the extended school year services must be entered into the IEP in the Extended School Year Services (ESY) section in NHSEIS in order to be considered for CAT AID reimbursement.
- According to RSA 186-C:18, III, the Department of Education shall:
  - o Be liable <u>up to 10 times</u> the estimated state average expenditure per pupil for the school year proceeding the year of distribution.
  - The Department of Education shall be liable for all costs in excess of 10 times the estimated state average expenditure per pupil for the school year proceeding the year of distribution.

Only allowable costs paid from local funds will be considered for CAT AID reimbursement. If an allowable cost is paid with federal funds, the cost will be disallowed.

#### Consideration for Eligibility for Reimbursement of CAT AID

- School districts must enter in the New Hampshire Special Education Information System (NHSEIS) student evaluation information, the Individualized Education Program (IEP) and placement. The data must be in compliance with the requirements of the <a href="New Hampshire Rules for the Education of Students with Disabilities">New Hampshire Rules for the Education of Students with Disabilities</a> (effective June 30, 2008). Since NHSEIS is the official Special Education Information System (NHSEIS), the NHDOE will only use information entered in the appropriate sections of NHSEIS for consideration of CAT AID. The NHDOE will not review IEPs developed with other software systems, IEPs developed by private special education programs/schools or other state's IEPs. It is crucial that the data entered be accurate and up to date. The districts are advised to implement a system of "checks and reviews" to ensure accuracy of the invoices prior to entering the invoice information into NHSEIS.
- When a school district has placed a student in a special education program approved for his/her disability by the NHDOE or by the state in which the program operates, the placement must be entered into NHSEIS under program services. The NHDOE will only consider placements for CAT AID that are entered in the program services section of NHSEIS including placements for approved special education summer programs. If you are placing a student in an out of state special education program that is not in NHSEIS, has an expired date or will expire soon; it is the district's responsibility to seek special education approval documentation from the host state's DOE. The NHDOE recommends seeking the host state's special education approval prior to placing the student at the

program. A list of all current approved special education programs are posted on the district's NHSEIS site. This list is updated every two weeks. Once any approved program in NHSEIS is modified, including out of state programs, the change occurs immediately.

For example, if an approval date is extended in NHSEIS, the change will take place immediately. With the change taking place immediately, this prevents each district having to call the NHDOE to make the change. If you would like the NHDOE to enter a new out of state special education program or extend the end date, the forms for districts may be found on the NHDOE website under special education and then program approval.

- Students who are placed using an Individual Program Approval (IPA) are eligible to seek CAT AID reimbursement if their special education costs meet the guidelines for CAT AID. For students who are placed using an IPA, the NHDOE will enter placement under approved programs. It is the districts responsibility to select that approved placement for their finalized IEP.
- Costs incurred during any period of time that student's records were out of compliance are not eligible for reimbursement i.e., not having an agreed upon IEP.
- Any changes to an IEP must occur prior to the submission of the IEP for consideration of Catastrophic Aid.
   Changes to the IEP must follow the Special Education process.
- For out of state residential placements that do not separate out tuition and residential costs on the invoices, the rate is figured by splitting the state approved rate. For example, tuition would be 50% of the rate and residential 50% of the rate.

#### O Careful attention must be paid to the following:

- ✓ Only IEPs that have been agreed upon by the parent/guardian will be considered for CAT AID. The NHDOE will not consider draft or proposed IEP for CAT AID. Please do not enter invoices based on a draft or proposed IEP, the NHDOE will disallow the costs.
- ✓ Only invoices which have dates that coincide with the dates of the services identified in the IEP will be considered for CAT AID.

✓ The NHDOE may request a signed copy of the original IEP at any time during the review process. Failure to provide the IEP will result in all costs for this student being disallowed.

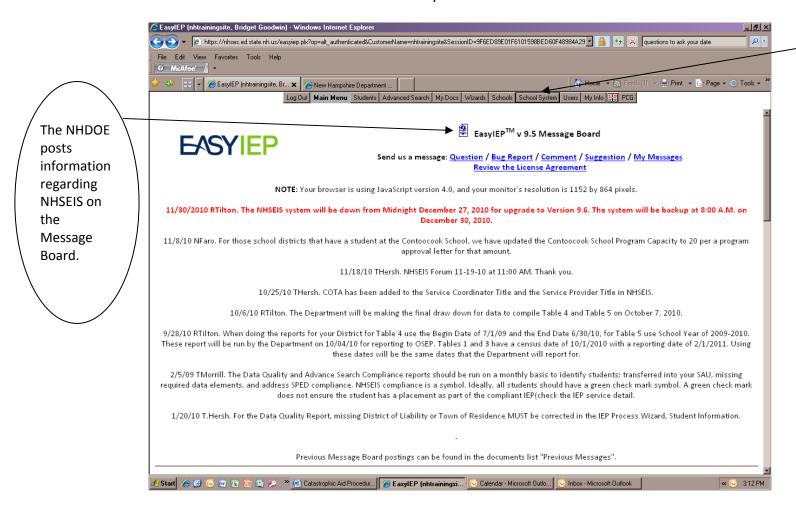
#### **Responsibilities of the NHDOE**

- The NHDOE will review all applications for CAT AID to ensure that the processes outlined in this manual are followed.
- When a student transfers from one district to another district during a school year, all costs shall be added together to verify that the student's total cost meets the threshold for CAT AID. If found eligible, reimbursement will be computed according to the cost incurred within each district.
- If in any year, the amount appropriated for distribution as catastrophic special education aid exceeds the allocated amount, the district's reimbursement shall be prorated.
- The NHDOE shall distribute Catastrophic Aid reimbursement payments on or before January 1<sup>st</sup> of each year.
- As students are placed in programs, NHSEIS automatically adjusts for this change in capacity as students are being placed in the program.

#### **ENTERING INFORMATION INTO FINANCIAL SUMMARY**

To begin entering invoices into the Financial Summary section of NHSEIS please go to your District Site. Once on the district site, please click on "School System."

Here is a screen shot of where to find the button for "School System"



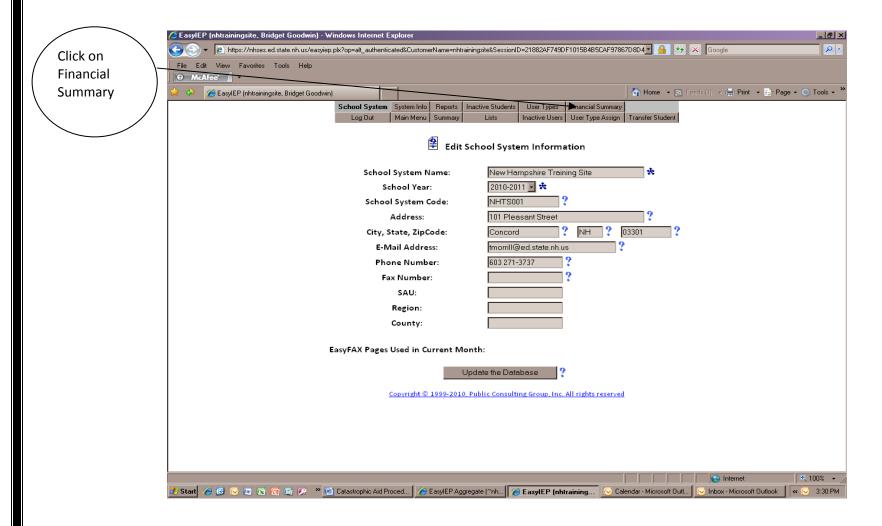
Click on

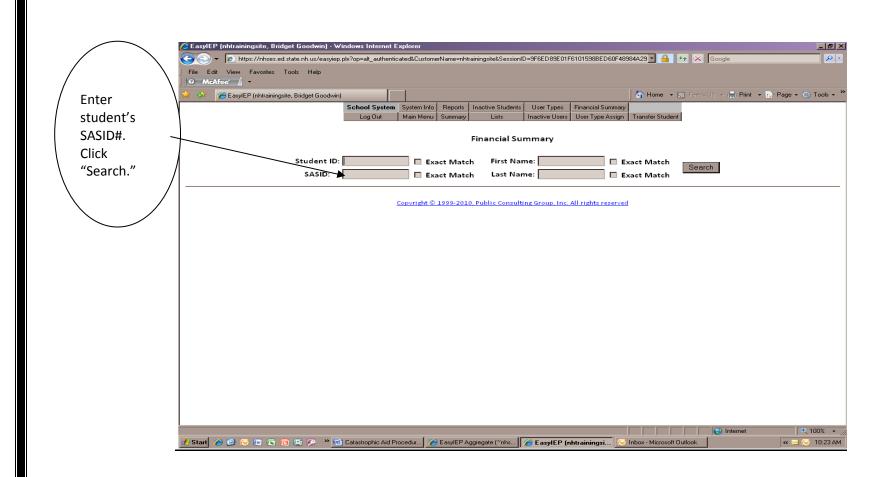
School

System

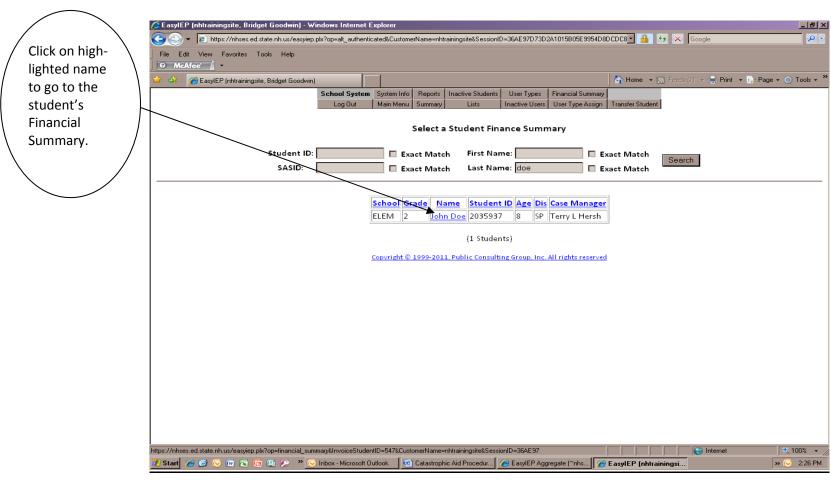
Once you have clicked on the "School System" button, please click on the "Financial Summary" button. The Financial Summary is used to determine Catastrophic Aid reimbursement for child-specific applications.

Once you are in the Financial Summary, please enter the student's SASID number. You could enter the student's last name rather than the SASID number. However, if you do enter the student's last name, more than one student may come up. Please ensure that you have selected the correct student.



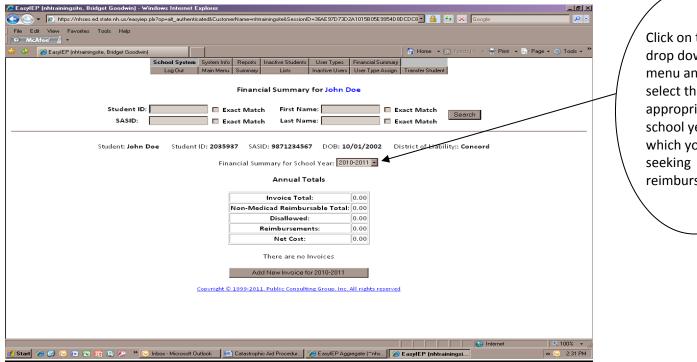


Please confirm that this is the student that you wish to enter invoices for. To continue, please click on the student's name. Please organize your invoices in chronological order. Putting the invoices in chronological order will assist you in entering invoices efficiently. The NHDOE calculates CAP and provides this information to the districts. CAP is 3 ½ times the estimated state average expenditure per pupil.



#### FINANCIAL SUMMARY

Please select the year in which you will be submitting invoices. When entering invoices for Catastrophic Aid, please keep in mind it is for the previous year. NHSEIS calculates costs based on the number of units and unit price. It is essential that the LEA's review the invoices prior to entering the costs into NHSEIS to ensure accuracy of the invoices. Please review the invoices prior to entering into NHSEIS to ensure the invoice clearly identifies the student either by name or SASID #, that the services in the invoices are for services identified in the IEP, the date of the invoices are the dates identified in the services of the IEP. The invoices must have the dates of services rendered and those dates must coincide with the dates of services in the IEP. If applicable, check to ensure that the rate you have entered is the NHDOE's or host state's established rate.



Click on the drop down menu and select the appropriate school year for which you are reimbursement.

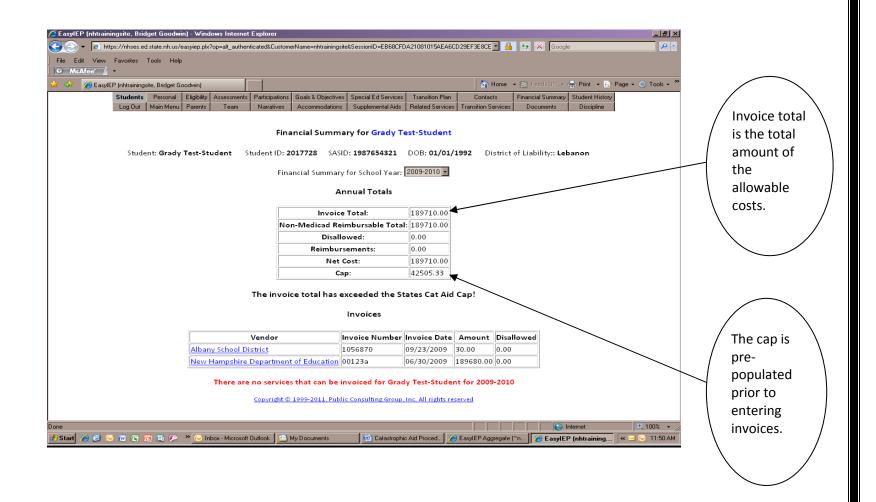
#### STUDENT'S FINANCIAL SUMMARY PAGE CONT...

As Districts are entering invoices, NHSEIS is calculating CAP, invoice totals and disallowed costs. The NHDOE highly recommends that districts enter invoices into NHSEIS on a monthly basis. By entering invoices on a monthly basis, districts can audit whether or not they are being appropriately charged for the number of units as identified in the IEP and the cost of the services. When developing an IEP, please think of units as 30 minute increments. By using thirty minute units, this allows for consistency with your vendors. Districts will also be able to verify that they are being charged at the NHDOE's or host state's established rate. If there are errors on the invoice, this will give a District an opportunity to reconcile the invoice prior to the CAT AID submission on August 1<sup>st</sup>.

The State establishes its rate based on 30 minute increments of service. In cases where the service is for 45 minutes, the district should select the service from the drop down. Enter one unit at 30 minutes and one unit at 15 minutes. The rate for the 15 minute unit will be entered using half the established rate. Both the IEP and invoices will need to reflect these entries.

For rates that are not established by the State, services can be entered for any increment providing the increment matches the rate at which they are being charged. For example, the invoice shows 48 minutes per day. The invoice should show the cost of a 48 minute session.

The NHDOE in previous reviews of CAT AID have found several incidents of districts entering in more units of services than identified in the IEP. Although Districts may provide additional services to students, Districts cannot seek reimbursement for these additional units of services.



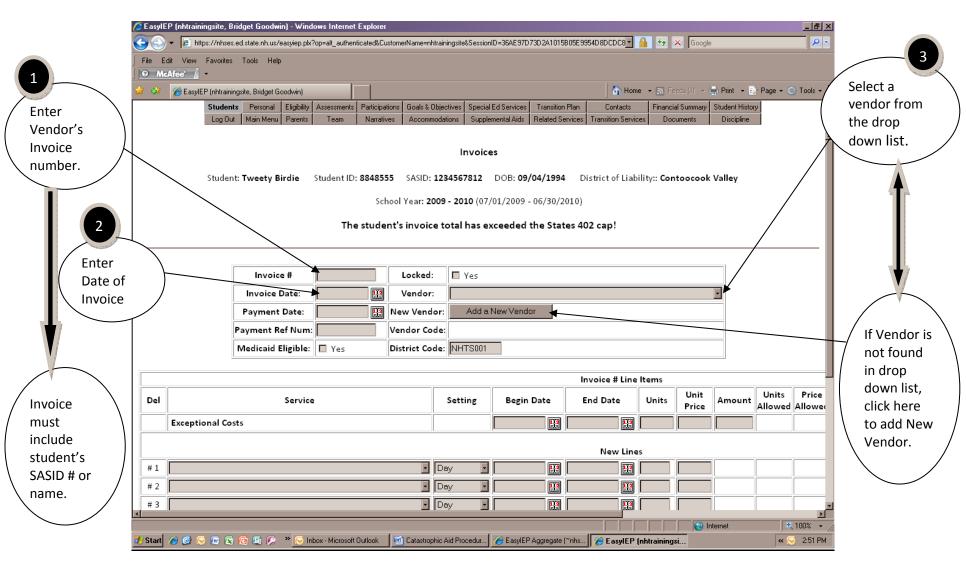
#### **ENTERING INVOICES**

When entering invoices into NHSEIS, you must enter the name of the vendor, the invoice number as well as the date of the invoice. The NHDOE encourages Districts to work with their vendors so that each invoice has an invoice number provided by the vendor. Invoices must clearly identify the student either by name or SASID # who received services. The NHDOE will not consider the costs of an invoice if is not clearly identified what student received services. This may be done by either the student's SASID # or Name on the invoice. Please remember to enter the invoices in chronological order. NHSEIS calculates when CAP is met. NHSEIS is also designed to populate the dropdown in the service section with information from the IEP. NHSEIS is designed so that once a vendor has been entered, the District will not need to re-enter the vendor for each invoice.

For new vendors, there is an "Add a New Vendor" button. This allows Districts to enter new vendor information.

See the next page for a screen shot of entering invoices

#### **INVOICE PAGE**



#### **ENTERING INVOICES CONT....**

NHSEIS is designed to generate a drop down menu from specific sections of the IEP. The specific sections of the IEP that are generated into a drop down menu in the service section of the financial summary are Special Education Services, Custom Special Education Services and Related Services. The NHDOE understands that there may be situation that a district may need to write on an invoice to add clarification for a special education service. It will be the discretion of the NHDOE to decide whether or not the "write on" of an invoice still maintains the integrity of the invoice. Please remember to use the current IEP.

NHSEIS compares the number of units and sessions from these three areas to the data Districts enter from the invoices. When there is an overage of number of units and sessions, NHSEIS will disallow the costs. To assist in the review of your invoices, you may indicate when a session is a make-up session. The invoices should reflect the date of services rendered.

If this occurs, Districts must re-enter the information using the number of units and sessions agreed upon in the IEP. When districts enter the number of units and the cost per unit, you must enter the units in 30 minute increments.

The NHDOE understands that there may be occasions when Districts may have invoices that reflect services that are less than the number of units identified within the IEP. If you encounter this situation, please enter in only the services that have been given.

The NHDOE reviews the invoices to ensure that the information stated on the invoice matches the information on the IEP. If there is a discrepancy that the District is able to correct, the District is given 5 days to make the correction. All email correspondences pertaining to CAT AID will be sent to the district's special education director. The NHDOE has given a specific timeline in order to comply with the January 1<sup>st</sup> deadline for payment to LEAs. The information entered into NHSEIS must match the invoice in order for a district to receive reimbursement for that invoice.

If districts would like a preliminary report, they can review the annual totals for the student on the Financial Summary page. The annual totals show the total of all the invoices, as well as the disallowed costs. The annual totals also show when a student's cost meets the "cap" for cat aid.

For invoices with residential costs, the tuition cost and the residential costs must each be clearly identified in the invoice including daily rate and the number of units. The units for residential and tuition costs must be entered in by the day.

The NHDOE enters the established rates for the NHDOE's or host State's established rate NHSEIS. If Districts enter an amount over the established rate, NHSEIS will disallow the overage. If this occurs, Districts must re-enter the information using the state established rate. Here is the link for New Hampshire's established rates:

http://www.education.nh.gov/instruction/special\_ed/documents/fy12\_rates\_8911.pdf

As the NHDOE receives the out of district rates, they are entered into NHSEIS at the time in which they are received. If the rates are not received until November, the rates will not be entered until November. Districts must go to each invoice and select "Update the Database" button only for invoices that are entered prior to the established rate being entered.

The NHDOE is aware that some agencies have more than one approved special education program. When an agency has more than one approved program, the name of the specific program must be clearly identified on the invoice. This will allow the NHDOE to verify the correct rate is being considered for CAT AID reimbursement.

Transportation must be identified in Related Services in order for Transportation to be considered for CAT AID. Transportation includes travel to and from school and between schools and other locations in which the IEP services are provided.

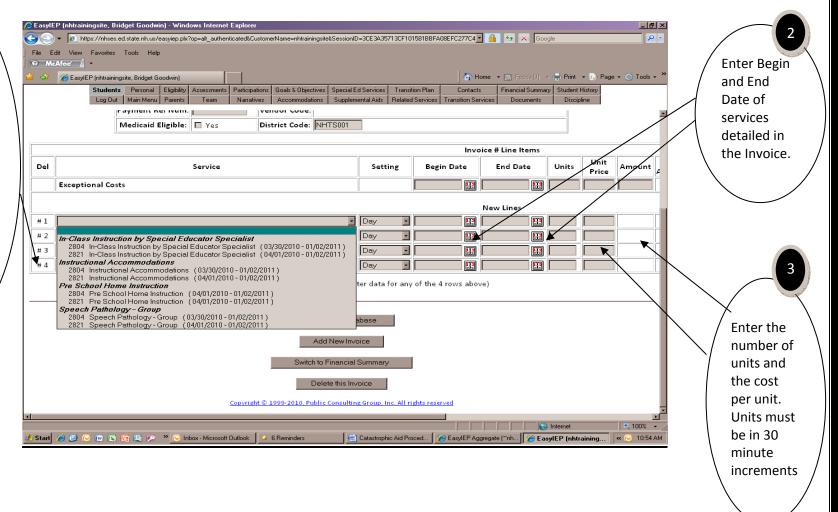
Transportation costs are considered only for the student's transportation. Transportation is part of the drop down menu under Related Services. By using transportation identified within Related Services, Districts will be able to enter units and unit costs for CAT AID reimbursement. Transportation costs of more than \$5,000 require invoices. Transportation costs of \$5,000 or less do not require invoices. When entering services of a bus monitor, please use "Custom Special Education Services" and type in bus monitor. If an individual other than a bus monitor provides the service of "monitoring" such as Para-professional, one on one aide, rehabilitative aide, or one on one assistant, the invoice must match the service identified in the IEP. This will allow you to enter the units as well as the unit price. By entering bus monitor under "Custom Education Services" this will allow NHSEIS to populate bus monitor into the drop down menu under "Service" in the Financial Summary Section.

The NHDOE will not consider contracts as invoices to seek CAT AID reimbursement.

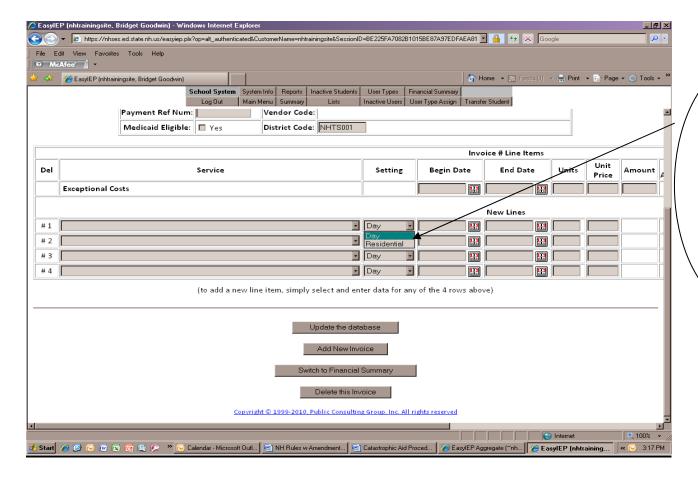
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Below is a screen shot identifying the areas that were discussed in the previous page of directions.

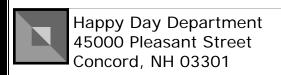
This drop down is generated from Special Education Services, Custom Special Services, & Related Services.



#### **INVOICE PAGE CONT....**



Select "Day" from the drop down for Tuition costs and "Residential" for the room and board costs.



Phone: 555-555-5555 Fax: 555-555-5555

E-mail:

someone@example.com

Invoice

Bill To:

Desk and Chair School District 12345 Pencil Way Invoice #: 21000

Invoice Date: 12/31/2011

NAME: John Doe

SASID# 1234567899

Begin Service Date	End Service Date	Description	Quantity/UNI TS	Unit Price	Total
10/01/2011	12/29/2011	Tuition for John Doe	9.00	500.00	4,500.00
10/01/2011	12/29/2011	Speech Pathology-Ind.	15.00	250.00	3,750.00

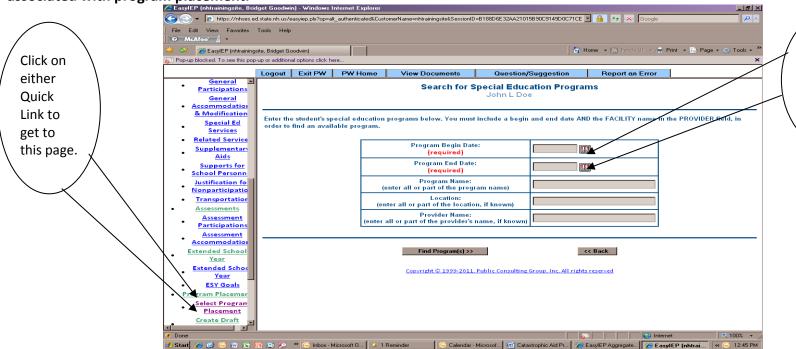
\*If appropriate, please indicate 'Individual' or 'Group'.

**SAMPLE** 

TOTAL INVOICE AMOUNT	8,250.00
Payment/Credit Applied	
TOTAL	8,250.00

#### PROGRAM PLACEMENT

When entering program placement including placements for approved special education summer programs into the IEP use "Select Program Placement." By using "Select Program Placement" this ensures that either the NHDOE or the Host State has approved the special education program. By using "Select Program Placement" this also ensures that the student meets the special education approval for the student's age, gender and primary disability in addition that the number of students within the program has not exceeded capacity. Invoices should not be entered for placement including tuition and room and board if the name of the program does not appear in the drop down menu under "Program Services" in the Service section of the Financial Summary. The NHDOE WILL NOT consider cost for program placement either tuition and/or room and board if the program is entered into Custom Special Education Services. The NHDOE will not consider placement costs if the placement is identified in other software systems, IEPs developed by private special education programs/schools or other state's IEPs. The NHDOE will not consider cost for program placements entered into Custom Special Education Services since this bypasses the business rules associated with program placement.



20

Begin and

end dates

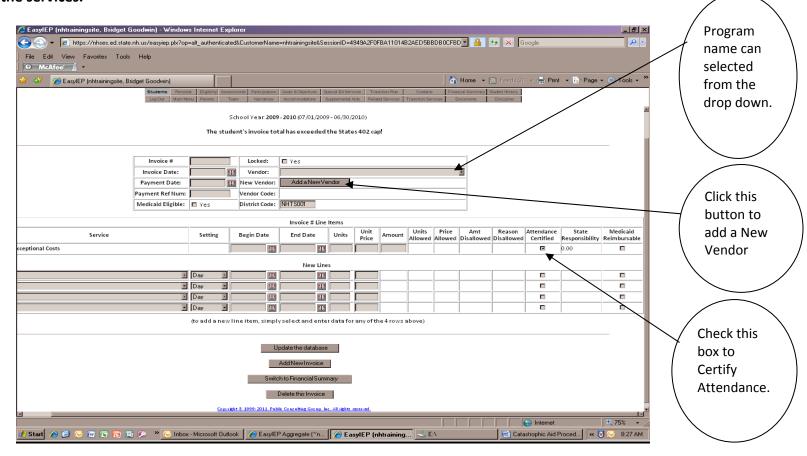
entered into

these fields.

must be

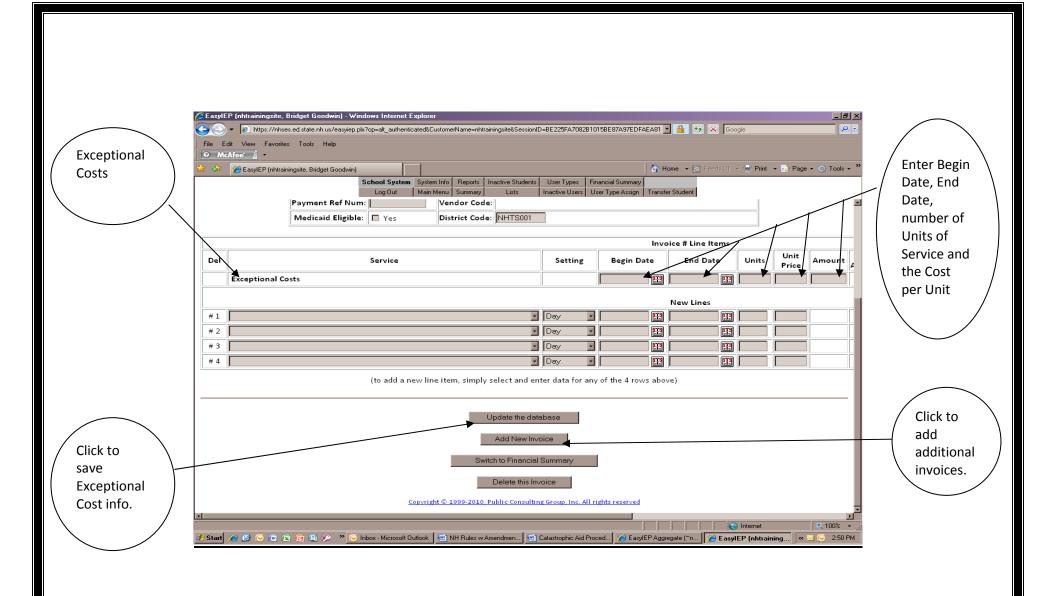
#### **ATTENDANCE**

Students must be in attendance in order for the services in an invoice to be considered for CAT AID. Place a check in the "Attendance Certified" box to verify the student's attendance. By checking this box, the District is verifying that the student was present for the services found in the invoice. Districts are responsible to keep student attendance records. Districts do not need to submit attendance records to the NHDOE however; the District must be able to produce the attendance records if requested by the NHDOE. The NHDOE is not able to consider costs when students are not present to receive the services.



Costs for Re-evaluations (3 year evaluations) may be entered in the financial summary under "Exceptional Costs." In order for re-evaluation costs to be considered, the evaluation must be a required assessment in Table 1100.01 found under Ed 1107.04. The required assessment must be given by a qualified examiner as identified in Table 1100.01. The state timelines must be met including the time extension timeline. Evaluations that are not required under ED 1107.04 will not be considered for CAT AID. Costs for vocational evaluation will not be considered.

Interest for emergency assistance loans and other costs associated with the emergency assistance loans may be entered in the financial summary under "Exceptional Costs."



#### **DISALLOWED COSTS**

It is the responsibility of the NHDOE to verify that the invoices entered into NHSEIS are for allowable costs. Here are several examples taken from actual District's invoices in which the NHDOE disallowed. It is the hope of the NHDOE by providing these examples of disallowed costs, it will assist the Districts. Each time a District enters disallowable costs into NHSEIS, the NHDOE must then work with the Districts to remove the costs. Since the review process of CAT AID is time specific, a smooth process will assist the NHDOE in meeting the legislative time line of January 1<sup>st</sup> for payment. The NHDOE will not consider costs for administrative function of personnel. Administrative functions can include but not limited to: cost to attend meeting, writing of reports including IEPs, development of IEPs and analysis of data.

- Please do not enter services as one total amount. When you enter services at one total amount NHSEIS will disallow the cost. NHSEIS is constructed so that invoices are entered based on the number of units identified within the IEP. Below is an example of how to properly enter units into NHSEIS.
  - o 1 @ a set price Example: Transportation= 1@ \$9,000.00
  - Please enter as 180 units @\$50.00 = \$9,000

The services on the invoice must match the service identified in the IEP. The IEP under custom special education services identifies a rehabilitative aide and district enters the cost from an invoice that states a one on one paraprofessional. The NHDOE will deny the invoice, you will be asked to remove these invoices from NHSEIS.

Please do not enter invoices for service providers, mileage, travel or hotel stays. These are costs which will be disallowed. If a District enters this information, you will be asked to remove these invoices from NHSEIS.

Please do not enter invoices for supplies such as paper, pencils, art supplies, movie rentals and aids to daily living (ADL). These are costs which will be disallowed. If a District enters this information, you will be asked to remove these invoices from NHSEIS.

Please do not submit invoices for the regular class. These are costs which will be disallowed. If a district enters this information, you will be asked to remove these invoices from NHSEIS.

Please do not enter placement under "Custom Special Education Services." The NHDOE will not consider the cost of placement including placements for approved special education summer programs for tuition and/or room/board that are entered into "Custom Special Education Services." If placement including placements for approved special education summer programs is in

any other section of the IEP other than "Program Placement", the cost will be disallowed. If a District enters this information, you will be asked to remove these invoices from NHSEIS.

O If the dates of the program identified in the IEP, do not coincide with the invoice dates, the placement will be disallowed. Example: Invoice dates: July 1, 2009-June 30, 2010 Placement dates: September 1, 2009-June 30, 2010. For this example, you can see that an invoice was submitted for the months of July and August however, there was no placement identified in the program service section of the IEP for this time period. These are costs which will be disallowed. If a District enters this information, you will be asked to remove these invoices from NHSEIS.

If Districts submit invoices that were for services in the previous fiscal year, the NHDOE will disallow the costs identified in the invoices. The NHDOE can only consider invoices for services that have been rendered in the year in which the District is seeking Catastrophic Aid.

When Districts submit invoices for items that are used for the general student population or a general special education population these costs will be denied. Examples of such costs may include but are not limited to: purchasing items for common areas such as hallways, items for the overall special education department such as consumables including diapers, wet wipes and latex gloves cannot be considered a special education cost. These are costs which will be disallowed and Districts will be asked to remove these invoices from NHSEIS.

The NHDOE will only consider costs at the NHDOE's or host state's established rate. If the District pays over the established rate and enters this into NHSEIS, NHSEIS will disallow the difference between the established rate and the rate for which the District has been charged. Please contact Lisa Morrissette @ (603) 271-3738 to find out the host state's established rate. Example:

Harry F. Benjamin Special Education Program State Established Rate: \$199.99 per day Harry F. Benjamin Special Education Program Rate Charged to District: \$299.99 per day

If the District enters the rate of \$299.99 per day, NHSEIS will disallow \$100. Districts will be asked to remove these invoices from NHSEIS.

The NHDOE will only consider costs that coincide with the information in the services of the IEP. If the District pays for services that have one time period on the invoice and the IEP have another time period. The NHDOE will disallow the costs. Example:

Invoice states individual OT services for 10/1/09 to 5/13/10, IEP identified individual OT services from 9/1/09 to 3/31/10. The NHDOE will consider the costs for 10/1/09 to 3/31/10. This is the time period that both the invoice and the IEP coincide.

In reviewing previous applications for CAT AID, the NHDOE has found that some districts are considering group when there is only one student receiving services. The NHDOE cannot consider this cost for cat aid since having one student is not considered "group." If there are no other students to participate in a "group" service, the IEP should be convened in order to discuss amending the group service in the IEP to an individual service.

The NHDOE cannot consider the cost of a field trip for consideration for CAT AID.

Invoices must clearly identify the student who received services. Please do not use nick names on the invoices. The NHDOE will not consider the costs of an invoice if it is not clearly identified what student received services. These are costs which will be disallowed and Districts will be asked to remove these invoices from NHSEIS.

The NHDOE will not consider costs that are associated with an IEP that has been inactive. You can find inactive events in the Student History page in NHSEIS.

Invoices will not be considered for CAT AID from items identified under Support for Personnel, Supplemental Aids and Services or Goals and Objectives section of the IEP. If a District enters this information, you will be asked to remove these invoices from NHSEIS. The NHDOE will only consider costs found in Special Education Services, Custom Special Education Services and Related Services section of the IEP.

There may be incidents that a district might have to figure a cost. If you are figuring a cost of service please always round down. If a District rounds up, the (units) x (rate) will calculate at an amount over the invoice and it will be disallowed. Example: Individual Speech rate= \$52.23 Group Speech Rate=\$26.115

→ Correct rate is \$26.11 not \$26.12 Do not round UP

The NHDOE will not endorse an IEP being modified after the expiration of the IEP in order for costs to be eligible for CAT AID. If there is a question regarding timelines, the NHDOE will verify in the date created section under Student History page.

Districts may not submit CAT AID costs for students who received Court-Ordered Placement Aid for the same placement(s) during the school year.

It is not the responsibility of the NHDOE to interpret the services identified on an invoice.

- Example: Sally Smith is a social worker who works with the family.
  - o The IEP under custom special education services states home school consulting.
  - O The invoices state in-home family counseling.

The NHDOE will not interpret the <u>home school consulting</u> as the same service identified in the invoice of <u>in-home family</u> <u>counseling</u>. The NHDOE will disallow these invoices since the services in the invoice do not match the services in the IEP.

The NHDOE considers "direct instruction" as the specially designed instruction outlined in IDEA. Direct instruction may be provided by a certified educator, specialist or related service provider. Direct Instruction should outline the content, methodology or delivery of instruction.

Direct instruction is not placement. If a district is attempting to use direct instruction for placement costs, the NHDOE will disallow this cost.

Districts may enter program placement as time of the school day x 5 sessions per week.

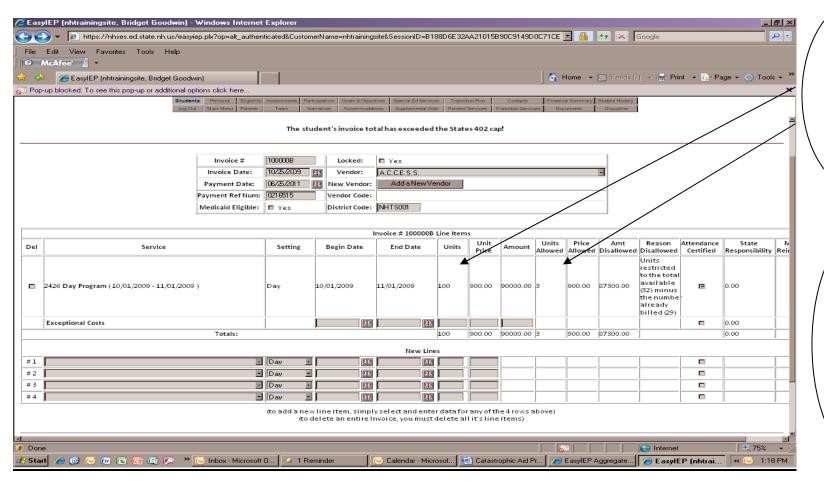
• **Example:** Sally attends the Excel Special Education Program. This is a day program. The information is entered as: 6.5 hours per day x 5 days/week.



### **INACTIVATING COSTS**

WHEN THE NHDOE IS AT THE POINT OF FINAL ANALYSIS, FOR DISTRICTS WHO HAVE NOT MADE THE NECESSARY CORRECTIONS, THE NHDOE MAY INACTIVATE COSTS WHICH HAVE BEEN DISALLOWED IN ORDER TO PROCESS THE REMAINING INVOICES FOR CAT AID.

#### **DISALLOWED COSTS EXAMPLE**



Reason for Disallowed cost=Units entered are over allowable amount.



To correct overage:
Re-enter the correct amount of Units as identified in the IEP.

#### **ALLOWABLE COSTS**

For district-operated programs, only direct costs attribute to each student's Individualized Education Program (IEP) under **Special Education Services, Custom Special Services & Related Services** may be considered for reimbursement. No indirect costs such as pro-ration of regular staff salaries, building maintenance and operations, regular transportation, standard textbooks and school supplies will be allowed. If the program serves students from other districts on a tuition basis, the funds received must be subtracted from the operational costs of the program to accurately calculate the host district's real or net cost.

\*\*Please subtract the cost charged for tuition for out of district students from the operational costs prior to establishing district tuition. Example: If the program has an operational cost of \$220,000 and the tuition for out of district students is \$20,000...subtract \$20,000 prior to calculating in-district costs. To further clarify, the \$200,000 should then be divided by 8 in district students to calculate an in-district student cost of \$25,000.

For Extended School Year Services that occur in the summer months, these ESY services may be considered for CAT AID reimbursement providing that they meet the requirements as outlined in this manual. The NHDOE cannot consider "camps" as reimbursable under CAT AID since the Bureau of Special Education does not have the authority to approve camps for special education programs. For a list of approved special education programs that occur in the summer months, please check the NHSEIS list of approved programs that is posted on the front page of your NHSEIS site.

Districts may submit costs for home instruction under Ed 1111.05 Home Instruction for School Aged Children. Districts may submit costs for temporary home-based programs not exceeding 45 days in a school year. For home instruction programs greater than 45 days, the district must submit 10 days prior an application for home instruction to the State Director of Special Education. In addition, Home Instruction must be selected under program placement.

#### **CONSULTATION**

The Department of Education provides the following for consideration of catastrophic aid if the consultations to staff and/or consultative services meet the following guidelines:

- Consultations to staff and/or consultative services are identified in the IEP under custom special education services.
- Consultation service is defined as a direct and/or indirect service that relates specifically to the individual student educational needs and is included in the student's IEP under related services. The district must provide evidence that the student is receiving direct or indirect services in which the consultation to staff and/or consultative services is being provided.
  - o **Example of a direct service** a student receives individual services from an occupational therapist.
  - **Example of an indirect service** an occupational therapist is providing consulting services to a student's classroom teacher.

The NHDOE **must** clearly see a service to the student and then the consult of the service in order to consider consult for cat aid. An example is a student receives individual occupational services under related services and occupational therapy consult to regular education staff under custom special education services. Invoices clearly state consultation to staff and/or consultative services in the specific area that consult is occurring. The provider's qualifications (including NPR number) are noted on the invoice.

It is not the responsibility of the NHDOE to interpret the "consulting costs" identified on an invoice.

- Example: Sally Smith is a social worker who works with the family.
  - The IEP under custom special education services states <u>home school consulting</u>.
  - o The invoices state in-home family counseling.

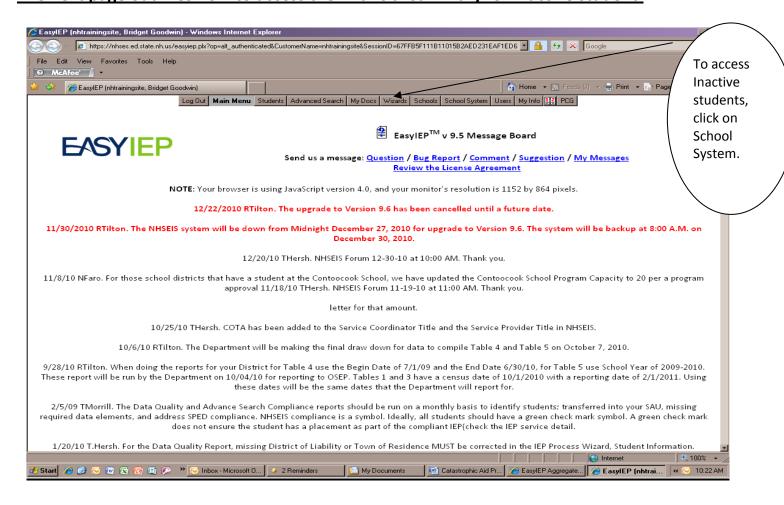
The NHDOE will not interpret the <u>home school consulting</u> as the same service identified in the invoice of <u>in-home family</u> <u>counseling</u>. The NHDOE will not allow "consulting costs" on the invoices since the services in the invoice do not match the services in the IEP.

The NHDOE will not consider costs for CAT AID reimbursement for e-mail consults.

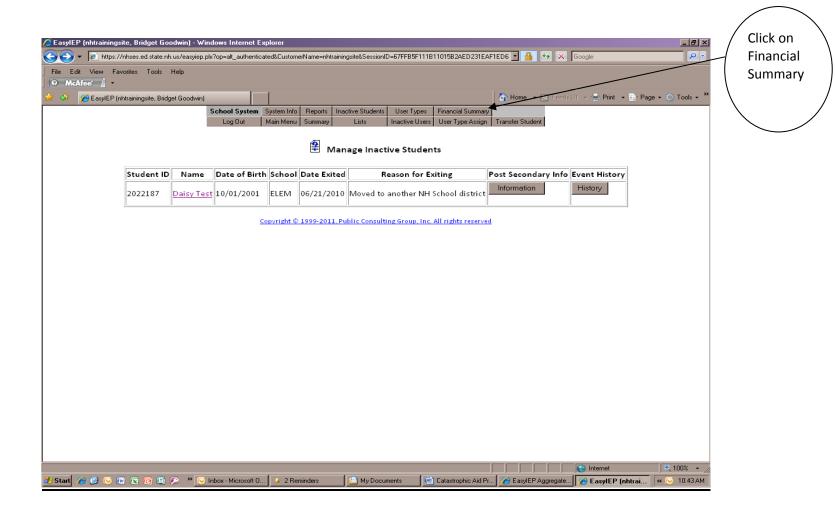
#### **INACTIVE STUDENTS**

You may have to access Inactive Students since they may have exited from special education for reasons such as graduated or aged out. Districts have the ability to apply for CAT AID for students who are inactive within the school year that they are seeking CAT AID.

The next page outlines how to access the financial summary for inactive student.



#### **INACTIVE STUDENTS CONT.....**



#### **TIMELINES FOR CAT AID**

The NH Department of Education, Bureau of Special Education, must provide the Division of Revenue Administration the estimated amount of CAT AID reimbursement to be received by each school district. This information must be provided by the end of August to ensure that tax rates are set in a timely fashion. The school district's cooperation in meeting the following deadlines is critical.

#### **Deadlines:**

Districts should be entering CAT AID data into NHSEIS on a monthly basis. The NHDOE is available to assist districts and provide technical assistance throughout the year in the CAT AID process.

#### July 31st

Deadline for districts to have entered CAT AID data into NHSEIS. Submit transportation, exceptional costs and all invoices to the NHDOE, along with a screen print of the NHSEIS financial summary page and all in-district rate sheets showing special education and related service costs.

Please provide documentation how costs were calculated. Also, submit employee data sheets. Backup documentation must be student specific. Please do not send bulk documentation for all students.

Beginning **August 1**<sup>st</sup> NHDOE processes the invoices from August 1<sup>st</sup> to mid-December. Please work with your vendors to ensure that they are able to meet these timelines.

<sup>\*</sup>Districts will create a list of all students for which they are applying for CAT AID, submit the Superintendent's Verification of CAT AID Form, verifying attendance and financial records and submit to the NHDOE (See form in Appendix).

<sup>\*</sup> If a District had a student eligible for CAT AID who moved to or from the district during the school year, please contact Lisa Morrissette at the NHDOE, 271-3738.

#### **APPENDICES**

#### Definitions

**CAT AID** means financial assistance for special education costs distributed under RSA 186-C: 18, III to a responsible school district.

<u>Contributed Funds</u> means funds contributed to defray the cost of a special education and by any party or agency other than the LEA.

<u>Direct Costs</u> means those costs which can be identified specifically with the provision of special education and related services, as included in a child's IEP, as per the NH RULES.

**Emergency Assistance** means funds appropriated for special education costs as provided in 186 C: 18, III.

<u>Indirect Costs</u> means those costs which have been incurred for common or joint objectives and which cannot be identified with the provision of special education and related services as included in a particular child's IEP.

<u>Responsible School District</u> means a school district which is responsible for a child with a disability for whom the costs of special education exceed the formula established by RSA 186 C: 18, III.

(New Hampshire Rules for the Education of Children with Disabilities, June 30, 2008, amended December 1, 2010, p.196-197)

# NEW HAMPSHIRE RULES FOR THE EDUCATION OF CHILDREN WITH DISABILITIES RSA 186-C: 18, III

June 30, 2008 Amended December 1, 2010

#### RSA 186-C: 18, III

- (a) The State Board of Education through the commissioner, Department of Education, shall distribute aid available under this paragraph as entitlement to such school districts as have a special education pupil for whose costs they are responsible, for whom the costs of special education in the fiscal year exceed 3 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. If in any year, the amount appropriated for distribution as catastrophic special education 186-C: 18 aid in accordance with this section is insufficient therefore, the appropriation shall be prorated proportionally based on entitlement among the districts entitled to a grant. If there are unexpended funds appropriated under this paragraph at the end of any fiscal year, such funds shall be distributed for courtordered placements under RSA 186-C:19-b. The state may designate up to \$250,000 of the which are appropriated as required by this paragraph, for each fiscal year, to assist those school districts which, under guidelines established by rules of the State Board of Education, may qualify for emergency assistance for special education costs. Upon application to the Commissioner of Education, and approval by the commissioner, such funds may be accepted and expended by school districts in accordance with this chapter; provided, however, that if a school district has received emergency assistance funds for certain children with disabilities, it shall not receive catastrophic special education aid for those same children with disabilities. If any of the funds designated for emergency assistance under this paragraph are not used for such emergency assistance purposes, the funds shall be used to assist school districts in meeting catastrophic cost increases in their special education programs as provided by this paragraph.
- (b) The school district shall be liable for 3- 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution, plus 20 percent of the additional cost, up to 10 times the estimated state average expenditure per pupil for the school year proceeding the year of distribution.
- (c) The Department of Education shall be liable for 80 percent of the cost above the 3- 1/2 times the estimated state average expenditure per pupil for the school year preceding the year of distribution, up to 10 times the estimated state average expenditure per pupil for the school year preceding the year of distribution. The Department of Education shall be liable for all costs in excess of 10 times the estimated state average expenditure per pupil for the school year proceeding the year of distribution.

## PART Ed 1128 SPECIAL EDUCATION CAT AID

Ed 1128.01 Definitions. The following definitions shall apply for the purposes of Ed 1128.

- (a) "CAT AID" means financial assistance for special education costs distributed under RSA186-C: 18, III to a responsible school district.
- (b) "Contributed funds" means funds contributed to defray the cost of a special education and by any party or agency other than the LEA.
- (c) "Direct costs" means those costs which can be identified specifically with the provision of special education and related services, as included in a child's IEP.
- (d) "Emergency assistance" means funds appropriated for special education costs as provided in 186 C: 18, III.
- (e) "Indirect costs" means those costs which have been incurred for common or joint objectives and which cannot be identified with the provision of special education and related services as included in a particular child's IEP.
  - (f) "Responsible school district" means a school district which is responsible for a child with a disability for whom the costs of special education exceed the formula established by RSA 186 C: 18, III.

Ed 1128.02 Reimbursement. A responsible school district shall be reimbursed for CAT AID if the following requirements are met.

- (a) The special education costs for which the district is seeking payment shall exceed the statutory threshold established by RSA 186-C: 18, III.
- (b) Each child with a disability for whom the responsible district is seeking catastrophic aid reimbursement shall be:
  - (1) Enrolled in an approved special education program that:
    - a. Provides FAPE; and
    - b. Meets the requirements established in:
      - 1. Ed 1128.02;
      - 2. Ed 1128.03;
      - 3. Ed 1128.05; or
      - 4. Ed 1117; or
  - (2) In a placement for which a hearing officer, pursuant to Ed 1123, orders the responsible school district to reimburse parents in accordance with 34 CFR 300.148.

#### §300.148 Placement of children by parents when FAPE is at issue.

- (a) <u>General</u>. This part does not require an LEA to pay for the cost of education, including special education and related services, of a child with a disability at a private school or facility if that agency made FAPE available to the child and the parents elected to place the child in a private school or facility. However, the public agency must include that child in the population whose needs are addressed consistent with §§300.131 through 300.144.
- (b) <u>Disagreements about FAPE</u>. Disagreements between the parents and a public agency regarding the availability of a program appropriate for the child, and the question of financial reimbursement, are subject to the due process procedures in §§300.504 through 300.520.
- (c) Reimbursement for private school placement. If the parents of a child with a disability, who previously received special education and related services under the authority of a public agency, enroll the child in a private preschool, elementary school, or secondary school without the consent of or referral by the public agency, a court or a hearing officer may require the agency to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the agency had not made FAPE available to the child in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the SEA and LEAs.
- (d) <u>Limitation on reimbursement</u>. The cost of reimbursement described in paragraph (c) of this section may be reduced or denied--

(1) If--

- (i) At the most recent IEP Team meeting that the parents attended prior to removal of the child from the public school, the parents did not inform the IEP Team that they were rejecting the placement proposed by the public agency to provide FAPE to their child, including stating their concerns and their intent to enroll their child in a private school at public expense; or
- (ii) At least ten (10) business days (including any holidays that occur on a business day) prior to the removal of the child from the public school, the parents did not give written notice to the public agency of the information described in paragraph (d)(1)(i) of this section.
- (2) If, prior to the parents' removal of the child from the public school, the public agency informed the parents, through the notice requirements described in §300.503(a)(1), of its intent to evaluate the child (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the child available for the evaluation; or
- (3) Upon a judicial finding of unreasonableness with respect to actions taken by the parents.
- (e) Exception. Notwithstanding the notice requirement in paragraph (d)(1) of this section, the cost of reimbursement--
  - (1) Must not be reduced or denied for failure to provide the notice if--
    - (i) The school prevented the parents from providing the notice;
    - (ii) The parents had not received notice, pursuant to §300.504, of the notice requirement in paragraph (d)(1) of this section; or
    - (iii) Compliance with paragraph (d)(1) of this section would likely result in physical harm to the child; and

- (2) May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if--
  - (i) The parents are not literate or cannot write in English; or
  - (ii) Compliance with paragraph (d)(1) of this section would likely result in serious emotional harm to the child.
- (c) The responsible school district shall report evaluation, placement, and eligible cost data for a child with a disability for CAT AID in accordance with Ed 1128.07.
- (d) The information entered into NHSEIS under Ed 1128.04 shall be verified on a catastrophic aid verification form signed and dated by an individual authorized to make application for CAT AID on behalf of the responsible school district. The verification form shall be submitted to the department no later than 4:30 p.m. on August 15 or, if August 15 falls on a weekend, no later than 4:30 p.m. on the next business day.

#### Ed 1128.03 Limitations on Reimbursement.

A responsible school district shall:

- (a) Be eligible for reimbursement only for those direct costs which are included in the IEP of a child with a disability, and which qualify as special education and related services.
- (b) Not be reimbursed for:
  - Costs which exceed rates established by Ed 1129 for tuition, instruction, room and board, and related services; or
  - (2) Indirect costs.

#### Ed 1128.04 Application for CAT AID.

To apply for the CAT AID, a responsible school district shall:

- (a) Enter the following program information into the NHSEIS database system:
  - (1) Instructional costs;
  - (2) Room and board costs;
  - (3) Tuition costs;
  - (4) Costs for related services, for which the department has approved a rate under Ed1129, including:
    - a. Counseling, both individual and group;
    - b. Occupational therapy, both individual and group;
    - c. Physical therapy, both individual and group; and
    - d. Speech pathology, both individual and group;
  - (5) Costs for related services for which the department had not approved a rate under Ed 1129, provided such services are included in the IEP of the child with a disability;

- (6) Transportation costs;
- (7) Exceptional costs, including diagnostic costs for services defined under Ed 1107; and
- (8) Any contributed funds.
- (b) Send supporting documentation to the department for:
  - (1) Transportation costs under (a)(6) above in excess of \$5,000;
  - (2) Exceptional costs under (a)(7);
  - (3) Instruction, room and board, and/or tuition costs from out-of-state facilities;
  - (4) Instructional costs from public programs; and
  - (5) All related services when no rate is set.

#### Ed 1128.05 Calculation of Cost of Special Education.

The cost of special education for a particular child with a disability shall equal the costs entered into NHSEIS under Ed 1128.04(a)(1) - (7), less contributed funds entered into NHSEIS under Ed 1128.04(a)(8).

#### Ed 1128.06 Emergency Assistance.

- (a) Emergency assistance shall be available pursuant to RSA 186-C 18, III.
- (b) The department shall mail application forms for emergency assistance to all school districts in the state no later than the first Friday in April.
- (c) When a responsible school district applies for emergency assistance, it shall:
  - (1) Enter information into NHSEIS as provided in Ed 1128.04(a); and
  - (2) Supply supporting documentation as provided in Ed 1128.04(b).
- (d) An application for emergency assistance for the school year in progress shall be submitted to the department by a responsible school district no later than 4:30 p.m. on the first Friday of May.
- (e) On applications for emergency assistance, a responsible school district shall document that:
  - (1) The district could not have anticipated the need of this child with a disability for a comprehensive special educational program;
  - (2) The district is experiencing a financial crisis and could not, through line item budget transfers or other financial management techniques, appropriate the funds necessary to provide this child with a disability with FAPE; and
  - (3) There are no other sources of financial support available to assist the district with the funding of this placement.

(f) If a responsible school district receives emergency assistance funds for certain children with a disability, it shall not receive CAT AID for these same children.

**Ed 1128.07 Proration.** Pursuant to RSA 186-C:18,IX, when a child with a disability transfers from one responsible school district to another during the school year, the following shall apply to the proration of CAT AID and emergency assistance among responsible districts:

RSA 186-C:18,IX - When a student for whom a district receives state aid for special education under this section transfers to another school district during the school year, both the district liability and the reimbursement under this section shall be prorated among such districts. This proration shall be based upon the number of school days that the student was a resident of each district.

- (a) Each district shall be reimbursed for only each school day on which the child was a resident of the district; and
- (b) Each district shall file separate application forms.

#### Ed 1128.08 State Aid for In-District Programs

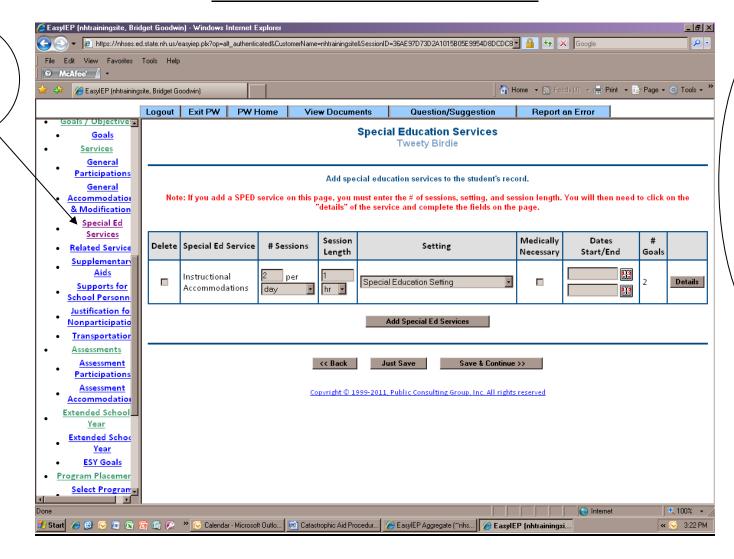
- (a) The following definitions shall apply for the purposes of this section:
  - (1) "State Aid for Out-of-District Placements" means the funding to establish or support school district based programs for children with disabilities who have been in out-of-district placements in the previous school year under RSA186-C:18, XI;
  - (2) "Contributed funds" means funds provided to defray the cost of a special education by any party or agency other than the LEA;
  - (3) "Direct costs" means those costs which can be identified specifically with the provision of special education and related services, as included in a child's IEP:
  - (4) "Indirect costs" means those costs which have been incurred for common or joint objectives and which cannot be identified with the provision of special education and related services as included in a particular child's IEP:
  - (5) "Liable school district" means a school district which is legally responsible for the education of the child with a disability; and
  - (6) "Supplemental costs" means the difference between the district's average per pupil cost and the cost of education for the child with a disability.
- (b) A liable school district shall be reimbursed for the development or maintenance of an in-district special education program, under this paragraph, if the following requirements are met:

- (1) The costs for which the district is seeking reimbursement shall establish or support a school district-based program for a child with disabilities who was in an out-of-district placement in the previous school year as required in RSA 186-C:18, XI;
- (2) The in-district program shall be approved pursuant to the provisions of Ed 1126.02;
- (3) The child for whom the district is seeking reimbursement shall have been placed in the in-district program pursuant to the provisions of Ed 1111.02;
- (4) The child for whom the district shall be seeking reimbursement is receiving a FAPE;
- (5) The liable school district shall report eligible cost data for a child with a disability pursuant to Ed 1128.04, (a), (1) through (5) and in accordance with Ed 1128.07, if applicable;
- (6) The information entered into NHSEIS under Ed 1128.04 shall be verified on a state aid verification form signed and dated by an individual authorized to make application for state aid on behalf of the liable school district;
- (7) The verification form shall be submitted to the department no later than 4:30 p.m. on August 15 or, if August 15 falls on a weekend, no later than 4:30 p.m. on the next business day; and
- (8) Payment to the school district, under this paragraph, shall be on or before January 1.
- (c) Limitations on reimbursement shall be as follows:
  - (1) A liable school district shall be eligible for reimbursement, under this paragraph only for children with disabilities whose placement has changed from an out-of-district placement to an in-district program developed or maintained by the responsible school district, and only for:
    - a. The direct costs that are included in the IEP in accordance with (b) (5) above; and
    - b. The direct costs that qualify as special education and related services, that allow the student with disabilities to be educated in the local school district program;
  - (2) A liable school district shall not be reimbursed for:
    - a. Costs which exceed rates established by Ed 1129 for tuition, instruction, and related services;

- b. Indirect costs; or
- c. Contributed funds;
- (3) The reimbursement amount the school district shall receive shall be the greater of:
  - a. The supplemental costs incurred by the school district to educate the child in the in-district program; or
  - b. The amount the school district received for the child in the last year of the out-of-district program, prior to placing the student in the indistrict program, under this paragraph;
- (4) The reimbursement under (c) (3) above shall be made for 3 years, as follows:
  - a. Reimbursement under (c) (3) a. above the supplemental amount for all 3 years; or
  - b. Reimbursement under (c) (3) b. above:
    - 1. In year one, 70 percent of the total amount in (c) (3) b. above;
    - 2. In year 2, 50 percent of the total amount in (c) (3) b. above; and,
    - 3. In year 3, 30 percent of the total amount in (c) (3) above.
- (d) Funds distributed under RSA 186-C:18, XI shall be:
  - (1) Made in accordance with the provisions of (b) above;
  - (2) Prorated in accordance with RSA 186-C:18, III (a), if insufficient funds are appropriated; and
  - (3) Used to assist school districts in meeting CAT AID costs in their special education programs to the extent that they are not used to fund the program set out in RSA 186-C:18, XI.

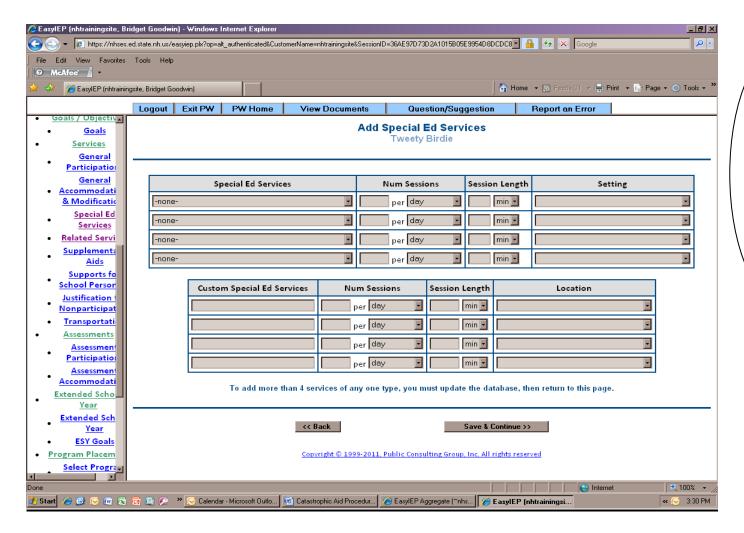
#### **SPECIAL EDUCATION SERVICES SCREEN IN NHSEIS**

Quick link to sections of IEP Wizard.



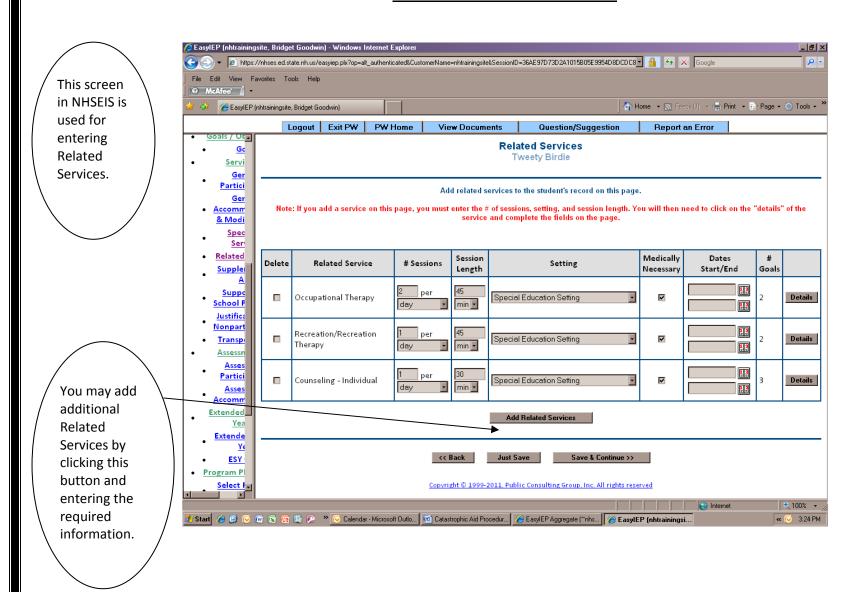
Use this screen in NHSEIS to enter Special Education Services. These services must be linked to a current IEP.

#### **Custom Special Services Screen in NHSEIS**



Use this screen in NHSEIS to enter Custom Special Education Services from the IEP.

#### **Related Services Screen in NHSEIS**



## SUPERINTENDENT'S VERIFICATION OF CAT AID

District SAU #	
Number of Students with Catastrophic Cost Rec	ords:
Total Catastrophic Costs Reported for District:	
I certify that, during Fiscal Year 2011, the tabove were incurred by the school district for se Special Education students who were eligible fo cost to the district for fulfilling each student's In Program (IEP) during Fiscal Year 2011 has excee average tuition.	ervices provided to the r Catastrophic Aid. The dividual Education
I certify that the district is only requesting costs paid by local funds. No reimbursement is be personnel or services paid by IDEA federal funds	peing requested for
Detailed accounting will be maintained by will include the invoices, as well as checks and p which the payments were made.	
Superintendent of Schools signature	 Date